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Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Summary record of the 5th meeting
Held at Headquarters, New York, on Wednesday, 8 June 2005, at 10 a.m.

Chairman: Mr. Hunte ..... (Saint Lucia)

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05-37679 (E)

The meeting was called to order at 10.20 a.m.

Adoption of the agenda

1. *The agenda was adopted.*

2. **The Chairman** said that he had received a communication from the delegation of Guatemala requesting to participate in the meetings of the Special Committee. If there was no objection, he would take it that the Committee agreed to grant the request, in accordance with the established procedure.

3. *It was so decided.*

Requests for hearings (aides-mémoires 12/05/Add.1 and 14/05)

4. **The Chairman** drew attention to aides-mémoires 12/05/Add.1 and 14/05, which contained additional requests for hearings. If he heard no objection, he would take it that the Committee acceded to those requests.

5. *It was so decided.*

Question of Western Sahara (A/AC.109/2005/2)

Hearing of petitioners

6. *At the invitation of the Chairman, Mr. Said (Frente Popular para la Liberación de Saguia el-Hamra y de Rio de Oro (Frente POLISARIO)) took a place at the petitioners' table.*

7. **The Chairman** drew attention to the working paper on Western Sahara prepared by the Secretariat (A/AC.109/2005/2).

8. **Mr. Said** (Frente Popular para la Liberación de Saguia el-Hamra y de Río de Oro (Frente POLISARIO)) said that the Caribbean Regional Seminar on Decolonization held recently on Canouan Island (Saint Vincent and the Grenadines) had made it clear that the decolonization process in Western Sahara remained deadlocked due to Morocco's rejection of the Settlement Plan and the Peace Plan for Self-Determination of the People of Western Sahara (S/2003/565, annex II), both of which recognized the principle of self-determination as the legal basis for advancing the decolonization process.

9. By calling for a mutually acceptable political solution, Morocco was attempting to confuse the international community, for it had stated that its acceptance of a solution was conditional upon prior recognition of its supposed sovereignty over Western Sahara — and, consequently, upon negation of the inalienable right of the Saharawi people to self-determination. Neither the Saharawi people nor the international community recognized that claim. The presence of Moroccan troops in Western Sahara was therefore in violation of international law and Morocco was occupying a territory that did not belong to it.

10. Morocco was continuing to pillage the national resources in the territory, in clear violation of international regulations relating to the natural resources of territories subject to the decolonization process. It was also systematically violating human rights, as had been confirmed in numerous reports by Amnesty International and the International Federation of Human Rights. Dozens of Saharawis had been killed in notorious secret prisons. The recent wave of repression unleashed against peaceful demonstrators on 23 May 2005 showed the true nature of Morocco as a colonial occupier.

11. Moreover, the whereabouts of some 600 civilians and 150 prisoners of war incarcerated by the Moroccan military and police forces since 1975 remained unknown. In absolute terms, that total almost equalled the number of Chileans who had disappeared during the regime of General Pinochet.

12. Thus far, the United Nations Mission for the Referendum in Western Sahara (MINURSO) had preferred to look the other way while the occupying forces went about beating, torturing and kidnapping women, children and the elderly in broad daylight.

13. Meanwhile, the Moroccan authorities were making considerable efforts to attract foreign investors in order to speed up the exploitation of Saharawi natural resources and in an attempt to legitimize their occupation. In that connection, he called upon the Government of Spain to take all necessary steps to ensure that the Binter Canarias airline definitively cancelled all its flights to El Aaiún, the occupied capital of Western Sahara. The agreement between that company and the Moroccan authorities and the attempts of certain companies from the Canary Islands to set themselves up in business in that city ran contrary to international law and called into question Spain's proclaimed readiness to contribute to a just resolution of the Western Sahara conflict.

14. The unresolved situation in Western Sahara was a challenge to the authority of the United Nations and that of the Special Committee. Indeed, President Mbeki of South Africa had said that it was a cause of shame and sadness for all that the Saharawi people had still not achieved their legitimate right to self-determination. The Committee needed to take resolute action to bring the process of self-determination for the Saharawi people to an effective completion.

15. **Mr. Gual** (Cuba) said that his delegation completely agreed with President Mbeki that the current situation in Western Sahara was a cause of shame and sadness. The Saharawi people had been subjected to a whole series of human rights violations, notably the violation of their right to self-determination. The current deadlock and the lack of action by the United Nations were extremely alarming. The appointment of an appropriately empowered special emissary acceptable to the parties might enable proposals to be developed leading to self-determination for the Saharawi people. It was both counter-productive and a sign of double standards that those with the responsibility for advancing the decolonization process should be the ones preventing effective measures from being taken that would enable the Saharawi people to achieve self-determination. His delegation reaffirmed its support for the Saharawi people's aspirations to achieve self-determination and hoped that it would soon be able to welcome them to the United Nations as the people of a sovereign, free and independent State.

16. **The Chairman** asked what effect, if any, intervention by the Security Council had had on the situation in Western Sahara.

17. **Mr. Said** (Frente Popular para la Liberación de Saguía el-Hamra y de Río de Oro (Frente POLISARIO)) said that the Security Council had been unable to assume its full responsibilities owing to the positions adopted by Morocco and France within that body. The Security Council should adopt a more serious approach and allow the people of Western Sahara the opportunity to vote in a free and fair referendum. The Frente Popular would respect the people's decision in such a referendum, whatever that might be.

18. *Mr. Said withdrew.*

19. **The Chairman** suggested that the Committee should conclude its consideration of the item, and that it should transmit all relevant documents to the General Assembly in order to facilitate consideration of the item by the Special Political and Decolonization Committee (Fourth Committee).

20. *It was so decided.*

Question of the dissemination of information on decolonization (A/AC.109/2005/L.4/Rev.1)

21. **The Chairman** said that, following the conclusion of consultations, a revised draft resolution on the dissemination of information on decolonization had been issued as document A/AC.109/2005/L.4/Rev.1.

22. He took it that the Special Committee was prepared to waive the 24-hour rule under rule 120 of the rules of procedure of the General Assembly and take immediate action on the revised draft resolution.

23. *It was so decided.*

24. **The Chairman** said that he took it that the Special Committee wished to adopt draft resolution A/AC.109/2005/L.4/Rev.1 without a vote.

25. *It was so decided.*

The meeting rose at 11.05 a.m.